

Morton & Craig LLC
John R. Morton, Jr., Esq.
110 Marter Ave.
Suite 301
Moorestown, NJ 08057
Telephone: 856-866-0100
Attorney for: Santander Consumer USA Inc.

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

In re:)	
)	Case No. 16-22528(KCF)
JEROME BECKWORTH)	
)	Chapter 13
)	
)	Hearing date: 9-14-16
)	
)	<u>OBJECTION TO CONFIRMATION</u>
)	

Santander Consumer USA Inc., a secured creditor of the debtor, objects to the debtors' plan for the following reasons:

- a. **910 Claim:** Santander Consumer USA Inc. holds a first purchase money security interest encumbering 2015 Kia Sedona as a result of a retail installment contract executed by the debtor and non-filing co-debtor, Monique Beckworth in connection with the purchase of the vehicle less than 910 days before filing this petition. The plan is silent as to Santander and should be amended to state that SANTANDER CONSUMER USA INC. is unaffected by the plan, will retain its lien on the vehicle after confirmation, and if the plan completes and the debtor receives a discharge before the retail installment

contract with SANTANDER CONSUMER USA INC. is paid in full according to its terms, the debtor's obligations under the retail installment contract will not be discharged.

- b. **Proof of insurance:** SANTANDER CONSUMER USA INC. requests that the debtor provide it with proof that the vehicle is insured as required by 11 U.S.C. 1326(a)(4).
- c. **Lien retention:** Santander must retain its lien on the vehicle after confirmation. Since the vehicle is titled in the name of the debtor and non-filing co-debtor, title to the vehicle will not be released upon plan completion and the lien will not be discharged unless the debtor has paid the debt to Santander in full, with contract rate of interest, in accordance with the terms of the retail installment contract encumbering the vehicle.

/s/ John R. Morton, Jr.
John R. Morton, Jr., attorney for
Santander Consumer USA Inc.

Dated: 9-2-16